IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

THURSDAY, THE 6TH SEPTEMBER 2007 / 15TH BHADRA 1929

LA.App..No. 567 of 2005()

LAR.256/1999 of ADDL.SUB COURT,KOTTAYAM

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APPELLANT: APPELLANT/RESPONDENT

STATE OF KERALA,
REP. BY THE DISTRICT COLLECTOR, KOTTAYAM.

BY GOVERNMENT PLEADER SHRI L.G.SURESH BABU

RESPONDENTS: CLAIMANTS/DEFENDANT

SMT.ALEYKUTTY,
W/O.MATHAI, THAZHATHU KARIMBUMALAYIL,
KUDAMALOOR, AYAMANAM, KOTTAYAM DISTRICT.

BY ADV. SRI.S.EASWARAN

THIS LAND ACQUISITION APPEAL HAVING COME UP FOR ADMISSION ON 06/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. PADMANABHAN NAIR ,J

L.A.Appln.No.567 of 2005

Dated, this the 6th day of September, 2007

JUDGMENT

State has filed this appeal challenging the decree and judgment passed in L.A.R.No.256/1999 by the Additional Sub Judge, Kottayam. Learned Sub Judge relying on the judgment passed in L.A.R.No.272/1999 which was produced and marked as Ext.A1 granted enhancement. The stand taken by the State Government in this appeal is that Ext.A1 judgment has not become final and conclusive. State has filed L.A.A.No.1289/2002 challenging Ext.A1 judgment. By judgment dated 3.4.2006 a Division Bench of this Court dismissed that appeal. So I do not find any reason to interfere with the compensation awarded by the learned Sub Judge especially in view of the fact that enhancement awarded is only reasonable.

In the result, Land Acquisition Appeal is dismissed.

I.A.No.1558/2005 will stand dismissed.

K. PADMANABHAN NAIR
JUDGE

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